THE BOMBAY RATIONING (PREPARATORY AND CONTINUANCE) MEASURES ACT, 1947.

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BOMBAY ACT No. LVIII OF 1947.[1]

[THE BOMBAY RATIONING (PREPARATORY AND CONTINUANCE) MEASURES ACT, 1947.]

[*19th January 1948.*]

An Act to provide for the numbering of premises and collecting information about persons and establishments, as measures preparatory to and for continuance of the rationing of articles or things essential to the life of the community.

WHEREAS it is expedient to provide for the numbering of premises and collecting information about persons and establishments, as measures preparatory to and for continuance of the rationing of articles or things essential to the life of the community; It is hereby enacted as follows :—

Short title, extent and commencement.

1. (*1*) This Act may be called the Bombay Rationing (Preparatory and Continuance) Measures Act, 1947.

(*2*) It extends to the whole of the Province of Bombay.

(*3*) The Provincial Government may, by notification in the Official Gazette, direct that it shall come into force in any area on such date as may be specified in the notification.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context—

(*1*) "Establishments" means catering establishments, institutions, residential establishments, manufacturing establishments, mills, industries, animal establishments and any other establishments or class of establishments which the Provincial Government or an officer authorised by it in this behalf may declare to be establishments for the purposes of this Act.

(*2*) (*i*) "Catering establishments" includes hotels, restaurants, eating houses, cafes, tea shops, coffee stalls, free feeding centres and every other place of refreshment open to the public, clubs, canteens and other similar establishments.

(*ii*) "Institutions" includes hospitals, sanatoria, convalescent homes, nursing homes, orphanages, work-houses, infirmaries, asylums, boarding schools (providing meals for day-boarders) and other similar establishments.

(*iii*) "Residential establishments" shall not include private households but shall include boarding houses, apartment houses, residential hotels, hostels, nurses' homes, boarding schools (without any day-boarders) and other similar establishments.

(*iv*) "Manufacturing establishments" includes bakeries, confectioneries and other similar establishments.

(*v*) "Mills" includes flour-mills, provender mills, and other similar establishments.

(*vi*) "Industries" means undertakings requiring the use of any article specified in this behalf by the Provincial Government by notification in the Official Gazette, in the process of production, manufacture or finish of any article.

(*vii*) "Animal establishments" includes stables or horses or cattle, poultry farms, zoos, menageries, veterinary hospitals, *pinjrapoles* and other similar establishments.

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[1] For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1947, Part V, page 236; for Proceedings in Assembly, see Bombay Legislative Assembly Debates, 1947, Vol. XI; and for Proceedings in Council, see Bombay Legislative Council Debates, 1947, Vol. XIII.

(*3*) "Inquiry Officer" means a person authorised under clause (*b*) of sub-section (*1*) of section 3 and includes any person appointed to assist him under sub-section (*2*) of section 3;

(*4*) "Numbering Officer" means a person authorised under clause (*a*) of sub-section (*1*) of section 3 and includes any person appointed to assist him under sub-section (*2*) of section 3.

Power to number premises and collect information about persons.

3. (*1*) If in the opinion of the Provincial Government it is necessary or expedient to carry out any of the following measures as preparatory to, or for continuance of, the rationing of any article or thing essential to the life of the community, the Provincial Government may—

(*a*) authorise any person in respect of any area to paint or repaint on, or affix or re-affix to, any premises, such letters, marks or numbers as may be necessary for facilitating their identification;

(*b*) authorise any person in respect of any area to collect and verify or reverify information and statistics necessary for introduction or continuance of rationing in that area.

(*2*) The person authorised under sub-section (*1*) may by order in writing appoint any other person or persons to assist him in carrying out the measures.

Obligation to answer certain questions and to furnish certain information.

4. (*1*) An Inquiry Officer may, for the purposes mentioned in clause (*b*) of sub-section (*1*) of section 3, ask of any person such questions as the Provincial Government may notify in the Official Gazette.

(*2*) An Inquiry Officer may for the said purposes order any person owning or in charge of an establishment to furnish to him information in respect of the said establishment in such form as the Provincial Government may, by notification in the Official Gazette, specify.

(*3*) Every person to whom a question is asked under sub-section (*1*) or who is ordered to furnish any information under sub-section (*2*) shall be legally bound to answer the question or furnish the information to the best of his knowledge and belief and if so required by the Inquiry Officer to do so, in writing, with his name signed thereto.

Right of access.

5. Every person occupying any premises shall allow the Numbering Officer or Inquiry Officer such access thereto as he may require for the purpose of his work:

Provided that in requiring access due regard shall be paid by such Officer to the social and religious customs of the occupier.

Letters, marks and numbers painted, etc., and orders made under Defence of India Rules to be deemed to be painted, etc., under this Act.

6. All letters, marks and numbers painted or repainted on, or affixed or reaffixed to, any premises under an order made by whatever authority under the Defence of India Rules shall be deemed to be painted or repainted on, or affixed or reaffixed to, such premises under this Act.

Penalties.

7. (*a*) Any Inquiry Officer who knowingly makes any false returns in connection with any inquiry conducted by him; or

(*b*) any person who voluntarily obstructs a Numbering Officer or Inquiry Officer in the exercise of his powers or the performance of his duties as such officer; or

(*c*) any person who is legally bound under section 4 to answer any question or to furnish any information—

(*i*) refuses to give an answer or to furnish the information to the best of his knowledge or belief; or

(*ii*) gives an answer or furnishes information which is false and which he either knows or believes to be false or does not believe to be true;

(*d*) any person occupying any premises who refuses to allow access to a Numbering Officer or Inquiry Officer as required by section 5; or

(*e*) any person who removes, obliterates, alters or damages any letters, marks or numbers which are painted or repainted on, or affixed or re-affixed to, or deemed to be painted or repainted on, or affixed or re-affixed to, any premises under this Act,

shall, on conviction, be punishable with imprisonment, which may extend to six months and shall also be liable to fine which may extend to five hundred rupees.

Bar of proceedings.

8. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act.

Sanction for prosecution.

9. No prosecution under this Act shall be instituted without the previous sanction of the Provincial Government or such officer as the Provincial Government may authorise in this behalf.

Repeal.

Bom. I of 1943.

10. The Bombay Rationing Preparatory Measures Act, 1943, is hereby repealed:

Provided that—

(*i*) every authority granted under the repealed Act, and in force immediately before the coming into force of this Act, shall be deemed to be granted under this Act; and

(*ii*) all letters, marks and numbers, painted or re-painted on, or affixed or re-affixed to, any premises under the repealed Act shall be deemed to be painted or re-painted, or affixed or re-affixed to, any premises under this Act.